

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 763 of 2018

Sudhanshi Shekhar Rath S/o Late Abhimanyu Rath, Aged about 69 years, R/o
LIG-2, Bodhghat Colony, P.S. - Jagdalpur, Distt.- Bastar (C.G.).

---- Applicant

Versus

State of Chhattisgarh, through Police Station Incharge, P.S. - City Kotwali
Jagdalpur, Distt.- Bastar (C.G.).

---- Respondent

For Applicant	:	Mr. Bhupendra Singh, Advocate
For Respondent	:	Mr. Sameer Behar, PL

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

26/03/2018

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 450/2017, registered at Police Station- City Kotwali, Jagdalpur, Distt. - Bastar (C.G.) for the offence punishable under Sections 420, 467, 468 and 471 of the IPC.
3. Case of the prosecution is that on 06/11/2017, complainant who is brother of the present applicant had lodged a written complaint alleging that the applicant has sold the land of complainant by forged documents. On the basis of said report, the police has registered the offence and arrested the applicant on 16/11/2017.
4. Learned counsel appearing on behalf of the applicant submits that there is nothing on record to show that the applicant has prepared any forged documents, factual scenarios is that complainant and applicant

are brother and there are family dispute and so many time the name of the applicant come on record by court's order, only due to personal dispute on the basis of false allegation, this report has been lodged. It is further submitted that earlier the disputed land sold by the applicant was on his name and before selling of the disputed land, he obtained certified copy of the revenue record, wherein his name was mentioned. Prior to that an ex-parte order was passed by the Board of Revenue. On the basis of that order, the name of brother of the applicant was entered in the revenue record, but this fact was not within the knowledge of the present applicant before selling the land.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the facts and circumstances of the case and further considering the fact that the case is triable by the JMFC, the applicant is in jail since 16/11/2017 and the trial will likely to take some time to conclude, without further commenting on merit of the case, this court is inclined to release the applicant on bail.
8. Accordingly, MCRC. No.763/2018 is allowed. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

**Sd/-
Judge
Arvind Singh Chandel**